

HCS HB 657 -- MINIMUM SENTENCING FOR CERTAIN FIRST-TIME OFFENDERS

SPONSOR: Phillips

COMMITTEE ACTIONS: Voted "Do Pass with Amendments" by the Standing Committee on Civil and Criminal Proceedings by a vote of 9 to 3. Voted "Do Pass with HCS" by the Select Committee on the Judiciary by a vote of 10 to 0.

This bill specifies that any offender serving a sentence imposed on or after August 28, 1994, who has been convicted of the dangerous felonies of assault in the first degree or robbery in the first degree and who is under the age of 70 and has no previous prison commitments with the Department of Corrections for any felony offense must serve at least 50% of the sentence imposed by the court. Any offender who is paroled and thereafter has his or her parole revoked due to conduct which would be punished as a felony under the laws of this state, any other state, or of the United States which, if committed within this state, would be a felony must not be released until he or she has served the remainder of his or her original sentence as imposed by the court.

PROPONENTS: Supporters say that many of the people incarcerated under Missouri's 85% rule were young people who engaged in foolish, but ultimately nonlethal or noninjurious conduct which earned harsh prison sentences. These offenders deserve to be punished, but the parole board should be allowed to take into account their youth, good behavior, and other mitigating circumstances. Missouri originally adopted an 85% rule in order to obtain federal funds for our prison system. These monies are no longer available, and Missouri spends copious amounts of money incarcerating their offenders.

Testifying for the bill were Representative Phillips; Mary Brooks; Annette G. Driver; Alex T. Eaton; Justine Edwards; Debra Forehand; Caroline McGinness; Missouri Association for Social Welfare; Lisa Pankey; Kevin Schriener; Erin Staponski; Kathy Franklin; Larry Hazelrigg; Lauren Hazelrigg; Lisa Hazelrigg; and Megan Hazelrigg.

OPPONENTS: There was no opposition voiced to the committee.